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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,072	07/14/2006	Douglas E. Brough	253625	7914

23460 7590 01/06/2011

LEYDIG VOIT & MAYER, LTD  
TWO PRUDENTIAL PLAZA, SUITE 4900  
180 NORTH STETSON AVENUE  
CHICAGO, IL 60601-6731

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 01/06/2011

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Notification of Non-Compliant Appeal Brief (37 CFR 41.37)</b>	<b>Application No.</b> 10/586072	<b>Applicant(s)</b> Brough	
	<b>Examiner</b> Wu Cheng Winston Shen	<b>Art Unit</b> 1632	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

The Appeal Brief filed on Dec. 16, 2010 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer.  
**EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. x (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
- 10.x Other (including any explanation in support of the above items):

The "summary of claimed subject matter" fails to map to the correct page and line number in the specification; for example: ...Ad28 is not on page 8, lines 9-10; on pg. 2, there is not a mention of the "sensory perception of an animal as cited". Please provide clarification as to where these terms are in the specification filed on July 14, 2006.

Another brief is not required, just the heading and the corrected section are needed.

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(571) 272-9797



Date: 04-01-2011, Time: 10:03:18 AM

Application	Date	Code	Status	Priority	Sender	Text
10610681 ✓	14-12-2010	SAPB <i>NO CRE.</i>	pending	medium	DPERRY	
11466334 ✓ 1)	14-12-2010	AP.B	forwarded	medium	TYOUNG	
11375788 ✓ 2)	14-12-2010	AP.B	forwarded	medium	TYOUNG	
11481257 ✓ 3)	14-12-2010	AP.B	open	medium	CPARIS	appeal brief for review
11372227 ✓ 4)	14-12-2010	AP.B	forwarded	medium	CPARIS	appeal brief for review
11345997 X 5)	14-12-2010	AP.B <i>NOT OK</i>	forwarded	medium	CPARIS	appeal brief for review
11559240 ✓ 6)	15-12-2010	AP.B	forwarded	medium	EWILLIAMS	
12133126 7)	15-12-2010	AP.B <i>11/05/2010</i>	pending	medium	DPERRY	
11966820 ✓ 8)	15-12-2010	AP.B <i>TJB ✓</i>	pending <i>NOT ✓</i>	medium	DPERRY	appeal brief review only
11339386 9)	15-12-2010	AP.B	pending	medium	DPERRY	APPEAL BRIEF REVIEW - 12/15/10
10287330 10)	16-12-2010	AP.B	forwarded	medium	DPERRY	
11917040 ✓ 11)	16-12-2010	AP.B	forwarded	medium	DPERRY	
10781804 ✓ 12)	16-12-2010	SAPB	forwarded	medium	DPERRY	
12339924 ✓ 13)	16-12-2010	AP.B	forwarded	medium	DPERRY	
10586072 14)	16-12-2010	AP.B <i>NOT ✓</i>	forwarded	medium	DPERRY	
10917968 ✓ 15)	17-12-2010	N/AP	forwarded	medium	DPERRY	APPEAL BRIEF 12/17/10
11874367 16)	17-12-2010	SAPB	forwarded	medium	DPERRY	APPEAL BRIEF 12/17/10
11097832 17)	17-12-2010	AP.B	forwarded	medium	DPERRY	APPEAL BRIEF 12/17/10
11959089 18)	17-12-2010	AP.B	forwarded	medium	DPERRY	APPEAL BRIEF 12/17/10
11326359 19)	17-12-2010	AP.B	forwarded	medium	DPERRY	APPEAL BRIEF 12/17/10
11494154 20)	17-12-2010	AP.B	forwarded	medium	BMONROE1	Appeal Brief 12/17/10
11553890 21)	17-12-2010	AP.B	forwarded	medium	BMONROE1	Appeal Brief 12/17/10
11419876 22)	18-12-2010	AP.B	forwarded	medium	BMONROE1	Appeal Brief 12/18/10
11392984 23)	20-12-2010	AP.B	forwarded	medium	BMONROE1	Appeal Brief 12/15/10
11544797 24)	20-12-2010	SAPB	forwarded	medium	DBROWN1	appeal brief review only
11462612 25)	20-12-2010	AP.B	forwarded	medium	RTYSON	APPEAL BRIEF REVIEW - 12/20/10
11369792 26)	20-12-2010	AP.B	forwarded	medium	RTYSON	APPEAL BRIEF REVIEW - 12/20/10
11418847 27)	20-12-2010	AP.B	forwarded	medium	RTYSON	APPEAL BRIEF REVIEW - 12/20/10
11606627 28)	20-12-2010	AP.B	forwarded	medium	RTYSON	APPEAL BRIEF REVIEW - 12/20/10

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